

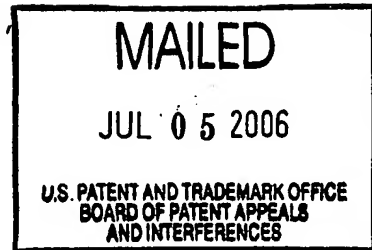
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte SCOTT G. WALTON, DARRIN LEONHARDT,
ROBERT A. MEGER, RICHARD FERNSLER
AND CHRISTOPHER MURATORE

Application No. 10/644,567

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER



This application was received electronically at the Board of Patent Appeals and Interferences on June 28, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

On March 31, 2006, an Examiner's Answer was entered into the record. In the Evidence Relied Upon section, page 2, paragraph 8, the examiner has provided an incomplete list of the references used in the rejections on appeal. A review of the file reveals that references to Meger et al., "Beam-generated plasmas for processing application", Physics of plasmas, Volume 8, Number 5, May 2001, pp. 2558-2564 was applied to the statement of rejections in the Grounds of Rejection, paragraph (9) of the examiner's answer. Before further review, the examiner must submit a corrected examiner's answer that will include in the Evidence Relied Upon section, the list of all references used in the statement of rejections. See the Manual of Patent Examining Procedure, (MPEP) § 1207.02. Appropriate correction is required.


Accordingly, it is

ORDERED that the application is returned to the Examiner for:

1) vacate the Examiner's Answer mailed March 31, 2006, and issue a revised Examiner's Answer having the missing reference listed under the Evidence Relied Upon section, paragraph (8); and

2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
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DMS/kis

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